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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Somalia

1. At its 8th meeting, on 10 May 2007, the Working Group examined a report of the Secretary-General on children and armed conflict in Somalia, introduced by the Special Representative of the Secretary-General (S/2007/259). The Permanent Mission of Somalia to the United Nations contributed through written comments to the subsequent discussions on the report.

2. The main elements of the exchange of views among the members of the Working Group are summarized below.

3. Members of the Working Group welcomed the continued hard work of the Somalia Task Force on Monitoring and Reporting and its contribution to the report of the Secretary-General in the light of the challenges they faced in the deteriorated security environment of Somalia and welcomed recommendations contained in the report.

4. Grave concern was expressed that the recruitment and use, as well as abduction, of children by several parties to the conflict, including Transitional Federal Government armed forces and armed groups affiliated with the Union of Islamic Courts, had continued over the period covered by the report.

5. Grave concern was also expressed about the high number of children killed and maimed as a result of fighting, widespread insecurity, availability of small arms and use of anti-personnel landmines by the belligerents, and in that context the importance of the respect by all parties to the conflict of international humanitarian law and other applicable international standards and norms was stressed.

6. Several members were also particularly worried by the fact that the situation of children had probably deteriorated since the end of the period covered by the report owing to the recrudescence of fighting and military operations, notably in April 2007.

7. The participation at ministerial level of the Transitional Federal Government of Somalia in the conference entitled "Free Children from War", held in Paris on 5 and 6 February 2007, was welcomed as a positive sign of its commitment to the protection of children under its jurisdiction in the context of armed conflict.

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8. The Transitional Federal Government of Somalia was encouraged to ratify the Convention on the Rights of the Child and to become a party to its Optional Protocol on the involvement of children in armed conflict.

9. It was noted that the recommendations of the Working Group were developed in the context of expected progress in the National Reconciliation Congress and process in Somalia, and that such progress was also key to the improvement of child protection and needed to be encouraged.

10. The Permanent Mission of Somalia to the United Nations:

(a) Questioned the level of credibility of some information and sources mentioned in the report and insisted in that context on the need for an increased presence of United Nations organizations in Somalia;

(b) Stressed the need to restore, as a matter of priority, security, law and order in Somalia, through, inter alia, the implementation of its national security and stabilization plan, and called upon the international community to step up assistance in that field;

(c) Underlined the responsibility of extremist groups in the perpetuation of violence and insecurity in Somalia and the need for all groups, including the remnants of the Union of Islamic Courts, to renounce violent methods and endorse democracy;

(d) Reiterated the commitment of the Transitional Federal Government to the welfare of children and human rights for all, and to foster progress towards reconciliation through the convening of an all-inclusive national reconciliation conference.

11. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolution 1612 (2005), the Working Group agreed to the following.

Recommendations to the Security Council

12. The Working Group agreed to recommend that the President of the Security Council address a letter:

To the Transitional Federal Government of Somalia

(a) *Welcoming*:

(i) The commitments made by the Transitional Federal Government of Somalia in addressing the needs of children in armed conflict, and stressing the importance of their implementation as a matter of priority;

(ii) The cooperative dialogue between the Transitional Federal Government and the United Nations Children's Fund (UNICEF) on subjects such as the presence of children in its armed forces and the release of children previously associated with the Union of Islamic Courts;

(iii) The participation of the Ministers for Health and for Women's Development and Family to the Paris conference entitled "Free Children from War" and the support expressed on this occasion by the Transitional Federal

Government to the Paris Principles and Commitments to protect children from unlawful recruitment or use by armed forces or armed groups;

(b) *Urging* the Transitional Federal Government of Somalia:

(i) To take the necessary actions towards the unconditional demobilization of all children present in any capacity in its armed forces and to prevent any further recruitment of children, and in the meantime, ensure that children do not directly take part in hostilities;

(ii) To ensure that child protection considerations and provisions are reflected in the course of the reconciliation process and in eventual agreements so as to secure adequate resources and focus for children in post-conflict rehabilitation and reconstruction;

(c) *Encouraging* the Transitional Federal Government:

(i) To consider ratifying as early as possible the Convention on the Rights of the Child and becoming a party to its Optional Protocol on the involvement of children in armed conflict;

(ii) To control, with the assistance of the international community, the dissemination of small arms, as their ready availability renders children more vulnerable to violations and abuses and increases the risk of crimes being committed against children;

(iii) To build, with the assistance of the international community, a child protection capacity and ensure that violations and abuses committed against children are rigorously investigated and prosecuted to address the prevailing culture of impunity;

(iv) To include children's rights groups in the consultations of the National Reconciliation Congress, and in the process of reconciliation therein;

(v) To develop, in partnership with UNICEF, programmes and strategies to raise awareness among society of children's rights and of the need for all people to protect children;

To the Secretary-General

(d) *Welcoming* the recommendation of the Secretary-General to the United Nations country team to continue to establish a systematic protection dialogue with all the parties to the conflict towards the development of concrete, time-bound action plans to end the recruitment and use of child soldiers as well as other violations and abuses committed against children;

(e) *Encouraging* him to engage in consultations with the African Union on appropriate modalities in order to support and develop child protection capacity in the African Union Mission in Somalia within its own mandate;

(f) *Inviting* him to make sure that the contingency planning undertaken by the Department of Peacekeeping Operations on the request of the Security Council for any future United Nations mission to be deployed in Somalia includes appropriate child protection considerations and provisions;

To the President of the African Union Peace and Security Council

(g) *Commending* the efforts undertaken by the African Union Mission in Somalia to restore a secure environment in Somalia and encouraging the President to consider the appointment of a child protection adviser within the Mission, with a view to ensuring that child protection is prioritized.

Direct action by the Working Group

13. The Working Group agreed to address messages to all the parties to the conflict through public statements by its Chairman on behalf of the Working Group:

(a) *Expressing grave concern* at the high number of children killed and maimed as a result of renewed fighting in Somalia, and condemning in particular the indiscriminate shelling of heavily populated areas of Mogadishu, as well as the indiscriminate use of anti-personnel landmines;

(b) *Urging* all parties:

(i) To comply fully with international humanitarian law, inter alia, by protecting the civilian population, especially children;

(ii) To recognize and commit to maintaining the neutrality and security of schools and hospitals as safe zones in conflict-affected areas, and in that context to refrain from any attack on such safe zones;

(iii) To guarantee as a matter of priority complete, unhindered and secure access for humanitarian assistance, as well as international and national child protection actors;

(iv) For those such as the Union of Islamic Courts and its affiliated groups which have been recruiting and using children, to release unconditionally all children present in any capacity in their ranks for reintegration in their families and communities, and to engage at the earliest occasion with the United Nations country team, in particular UNICEF, and, where appropriate, through non-governmental organizations in a collaborative partnership or in partnership with UNICEF, for an action plan with a view to putting an end to the serious abuses perpetrated against children and ensuring transparent procedures for the release of all children;

(v) To halt immediately new deployments of landmines, bearing in mind the serious threat that landmines pose to the safety, health and lives of children in Somalia.

14. The Working Group also agreed to address letters from its Chairman:

To the World Bank and donors

(a) *Requesting* that they ensure that sufficient resources are made available to support programmes and local capacities in the areas of advocacy, community awareness, demobilization and reintegration of children associated with armed forces and armed groups, and respond to violations and abuses committed against children, including strengthened child protection mechanisms in the Somali refugee camps in Kenya and in the internally displaced persons settlements inside Somalia, and for more concerted international advocacy and awareness-raising on the plight of the children in the country;

To the Somalia Task Force on Monitoring and Reporting

(b) *Commending* its efforts in the follow-up to Security Council resolution 1612 (2005) and other decisions on children and armed conflict, as well as its démarches to the parties, and requesting continued dialogue with all stakeholders to secure commitments concerning the protection of children.